

# Wild and Scenic Rivers

The Wild and Scenic Rivers Act (the Act) was enacted in 1968 to preserve and protect selected rivers and river segments in their free-flowing condition. Section 5 of the Act directs federal agencies to consider potential wild and scenic rivers in their land and water planning processes. Thus, the Bureau of Land Management (BLM) will inventory and study streams in the planning area as part of the Resource Management Plan (RMP) development. The inventory phase is conducted during the data gathering stage of RMP development; the study phase is conducted during the formulation of the DRAFT and PROPOSED RMP.

## **The Inventory Phase**

The purpose of the inventory phase is to determine eligibility and place eligible streams into a “classification” category. BLM is directed to consider a wide variety of internal and external sources to identify potentially eligible rivers to be inventoried. The goal is to avoid overlooking river segments that may have potential for inclusion in the National System. The BLM has initiated review of streams in the planning area. The public may submit comments and suggestions regarding Wild and Scenic Rivers and may nominate specific streams for review.

**Nominations and comments should be submitted by October 19<sup>th</sup> to Renee Johnson, RMP Project Leader, BLM Dillon Field Office, 1005 Selway Drive, Dillon, MT 59725.**

## Eligibility Criteria

Standard criteria is applied to streams identified for review to determine eligibility. To be eligible a river segment must be:

- 1) Free-flowing, and
- 2) Must possess one river-related value considered outstandingly remarkable.

A value is considered outstandingly remarkable if it is exemplary, rare, unusual, unique, exceptional, or significant on a national or regional basis. Outstandingly remarkable values include scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values.

## Classification Criteria

Streams that meet the eligibility criteria are then classified as Wild, Scenic, or Recreational. This is a tentative classification. Only Congress can make the final classification. The criteria for classification are defined in Section 2(b) of the Wild and Scenic Rivers Act. River segments are classified as Wild, Scenic, or Recreational according to the type and degree of human development and access associated with the river and adjacent lands at the time of the inventory. These classifications are described below.

Wild		Scenic		Recreation	
1.	Free-flowing. Low dams, diversion works or other minor structures which do not inundate the natural riverbank may not bar consideration as wild. Future construction restricted.	1.	Free-flowing. Low dams, diversion works or other minor structures which do not inundate the natural riverbank may not bar consideration. Future construction restricted.	1.	May have undergone some impoundment or diversion in the past. Water should not have characteristics of an impoundment for any significant distance. Future construction restricted.
2.	Generally inaccessible by road. One or two inconspicuous roads to the area may be permissible.	2.	Accessible by roads which may occasionally bridge the river area. Short stretches of conspicuous or longer stretches of inconspicuous and well screened roads or railroads paralleling river area may be permitted.	2.	Readily accessible, with likelihood of paralleling roads or railings along riverbanks and bridge crossings.
3.	Shorelines essentially primitive. One or two inconspicuous dwellings and land devoted to production of hay may be permitted. Watershed natural in appearance.	3.	Shoreline largely primitive. Small communities limited to short reaches of total area. Agricultural practices which do not adversely affect river area may be permitted.	3.	Shoreline may be developed.
4.	Water quality meets minimum criteria for primary contact recreation except where such criteria would be exceeded by natural background conditions and esthetics and capable of supporting propagation of aquatic life normally adapted to habitat of the stream.	4.	Water quality should meet minimum criteria for desired types of recreation except where such criteria would be exceeded by natural background conditions and esthetics and capable of supporting propagation of aquatic life normally adapted to habitat of the stream, or capable of and is being restored to that quality.	4.	Water quality should meet minimum criteria for desired types of recreation except where such criteria would be exceeded by natural background conditions and esthetics and capable of supporting propagation of aquatic life normally adapted to habitat of the stream or is capable of and is being restored to that quality.

These “eligibility” and “classification” steps complete the inventory phase. Eligible river segments are then managed so as to not adversely affect the free-flowing values or the identified outstandingly remarkable values, subject to valid existing rights. In addition, management and development of the river segment and associated corridor cannot be modified, subject to valid existing rights, to the degree that its tentative classification would be changed.

### **The Study Phase**

The purpose of the study phase is to determine the suitability of eligible streams for inclusion in the National System of Wild and Scenic Rivers. Suitability represents an assessment or determination as to whether or not eligible river segments should be recommended for inclusion in the National System by Congress, but does not result in actual designation. Designation is done only by Congress, or, under certain conditions, by the Secretary of the Interior when the Governor of a State petitions for a river to be designated.

The following factors are considered when completing the suitability study on eligible river segments:

- Characteristics which do or do not make the river a worthy addition to the National System,
- The status of land and mineral ownership, use in the area, and associated or incompatible uses,
- Reasonably foreseeable potential uses of the land and related waters which would be enhanced, foreclosed, or curtailed if the area were included in the National System, and values which would be foreclosed or diminished if the area is not designated,
- Federal, state, tribal, local, public or other interest in designation or non-designation of the river,
- Estimated cost of acquiring necessary lands, interests in lands, and administering the area if designated,
- Ability of the agency to manage and protect the river area or segment as a Wild and Scenic River, or other means to protect the identified values other than Wild and Scenic River designation, and
- Historical or existing rights which could be adversely affected with designation.

In addition, in the environmental documentation associated with the RMP, the BLM will analyze impacts that would occur from designation and non-designation of the eligible river segments. Suitability is reviewed in the DRAFT RMP and final suitability recommendations are made in the PROPOSED RMP. Those river segments recommended for inclusion into the National System are then managed to protect the outstandingly remarkable values that qualify them for consideration.